

HOUSE BILL No. 1134

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-42-4-12.

Synopsis: Sex offender Internet offense. Makes it a Class D felony for a sex offender to use a social networking Internet web site or an instant messaging or chat room program that is frequented by children. Increases the penalty to a Class C felony if the offender uses the program to contact a child or has a prior conviction under this statute.

Effective: July 1, 2008.

VanDenburgh, Lawson L

January 8, 2008, read first time and referred to Committee on Judiciary.

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Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

HOUSE BILL No. 1134

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-42-4-12 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2008]: **Sec. 12. (a) As used in this section, "instant messaging or**
4 **chat room program" means a software program that allows two**
5 **(2) or more persons to communicate over the Internet in real time**
6 **using typed text.**

7 **(b) As used in this section, "social networking web site" means**
8 **an Internet web site that:**

9 **(1) facilitates the social introduction between two (2) or more**
10 **persons;**

11 **(2) allows a person to create a web page or a personal profile;**
12 **and**

13 **(3) provides a person who visits the web site the opportunity**
14 **to communicate with another person.**

15 **(c) A sex offender (as defined in IC 11-8-8-4.5) who knowingly**
16 **or intentionally:**

17 **(1) uses a social networking web site; or**



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1 (2) uses an instant messaging or chat room program;
2 that allows a person who is less than eighteen (18) years of age to
3 access or use the web site or program commits a sex offender
4 Internet offense, a Class D felony.

5 (d) The offense under subsection (c) is a Class C felony if:

6 (1) the offender contacts a child or a person the offender
7 believes to be a child through the social networking web site
8 or instant messaging or chat room program; or

9 (2) the offender has a prior unrelated conviction under this
10 section.

11 SECTION 2. [EFFECTIVE JULY 1, 2008] IC 35-42-4-12, as
12 added by this act, applies only to crimes committed after June 30,
13 2008.

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